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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	08/454,921 <i>5819292</i>	
	Filing Date	May 31, 1995	
	First Named Inventor	David Hitz	
	Group Art Unit	2307	
	Examiner Name	Lintz, P.	
Total Number of Pages in This Submission	36	Attorney Docket Number	NET 005

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	PTO/SB/44 (2 copies); Copies of Response to OA of 12/94, Examiner's Amendment of 3/95, and Ex.'s Amdmt. and Notice of Allowability of 1/98; Return Postcard
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Steven A. Swernofsky Swernofsky Law Group	Reg. No. 33,040
Signature	<i>Steven A. Swernofsky</i>	
Date	September 7, 1999	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: September 7, 1999		
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PTO/SB/69 (12-97)  
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## PETITION ROUTING SLIP

(Find the petition from the list and check the box in the heading above the petition)

### Complete if Known

Application Number	08/454,921	58/9292
Filing Date	May 31, 1995	
First Named Inventor	David Hitz	
Group Art Unit	2771	
Examiner Name	Paul R. Lintz	
Attorney Docket Number	NET 005	

### ☒ PETITIONS DECIDED BY PETITIONS OFFICE

- 301 Relating to Public Use Proceedings (37 CFR 1.122)
- 302 To make application special - prospective manufacture (37 CFR 1.102, MPEP 708.02)
- 303 To make special - infringement (37 CFR 1.102, MPEP 108.02)
- 304 Relating to the Filing/Issuance of Divisional Reissue (37 CFR 1.177)
- 305 To waive or suspend rules (37 CFR 1.183)
- 306 To expunge a paper from patent application or patent file (37 CFR 1.59)
- 307 Withdrawal of Attorney (37 CFR 1.36)
- 308 For access to application except re proceedings before Board (37 CFR 1.14, MPEP 103.104)
- 309 Relating to Small Entity (37 CFR 1.28)
- 310 Relating to reexamination (37 CFR 1.181, 1.183)
- 311 For correction of inventorship for applications - no filing date (37 CFR 1.48)
- 312 For correction of inventorship for PCT applications (37 CFR 1.48)
- 313 For filing application without one or more inventors (37 CFR 1.47)
- 314 For filing PCT application without one or more inventors (37 CFR 1.47)
- 315 For extension of time without fee in cases in Application Division (37 CFR 1.136(b))
- 316 For matters before A/C for Patents - not specified
- 408 Relating to a filing date under 35 USC 111 & 37 CFR 1.53
- 411 Filing date for application filed by Express Mail (37 CFR 1.110)
- 412 Filing date for lost application
- 501 To revive an abandoned application - unavoidable delay (37 CFR 1.137(a))
- 502 To revive an abandoned application - unintentional abandonment (37 CFR 1.137(b))

- 503 To waive/suspend rules (37 CFR 1.183)
- 504 To invoke supervisory authority - re patent examining operations (37 CFR 1.181)
- 505 To withdraw from issue after payment of issue fee (37 CFR 1.313(b)(1-4))
- 506 To withdraw from issue after payment of issue fee (37 CFR 1.313(b)) or abandon application in favor of continuing application
- 507 To enter priority papers after issue fee payment (37 CFR 1.55(a))
- 508 To defer issuance of patent (37 CFR 1.314)
- 510 To invoke supervisory authority - re Office of Admin. (37 CFR 1.181)
- 516 To waive/suspend rules in Patent Office of Admin. (37 CFR 1.183)
- 519 To decide matters before Deputy A/C for Patents under 37 CFR 1.182
- 521 To refuse refusal to accept & record maintenance fee - application filed on or after 8/22/82 (37 CFR 1.377)
- 523 To issue patent in the name of the Assignee (37 CFR 1.334(c))
- 525 To withdraw a holding of abandonment (37 CFR 1.181)
- 526 To accept a Commissioner-initiated Reexamination proceeding (37 CFR 1.520)
- 527 To convert Provisional Application
- 528 To reinstate abandoned Provisional Application
- 530 PCT petition-unavoidable
- 531 PCT petition-unintentional
- 532 To accept unavoidably delayed payment of maintenance fee (37 CFR 1.378 (b))
- 533 To accept unintentionally delayed payment of maintenance fee (37 CFR 1.378 (b))
- 534 Petitions related to reexamination proceedings
- 509 For matters before the Deputy A/C for Patents - not specified

### ☐ PETITIONS DECIDED BY THE GROUP DIRECTOR

- 601 To make application special on ground of age or health (37 CFR 1.102, MPEP 708.02)
- 602 To make special - continuity of earlier application (37 CFR 1.102, MPEP 708.02)
- 603 To make special - accelerated examination (37 CFR 1.102, MPEP 708.02)
- 604 To make special - accelerated examination (37 CFR 1.102, MPEP 708.02)
- 605 To make special - Energy Program (37 CFR 1.102, MPEP 708.02)
- 606 To make special - Recombinant DNA (37 CFR 1.102, MPEP 708.02)
- 607 To make special for reasons not provided for in codes 601-606 (37 CFR 1.102, MPEP 708.02)
- 608 To reopen prosecution after Board decision (37 CFR 1.198)
- 609 For review of final restriction requirement (37 CFR 1.144)
- 610 Invoking Authority of Commissioner under 37 CFR 1.181 not specified in codes
- 611 Relating to the prematureness of final rejection (37 CFR 1.181, MPEP 708.07(c))
- 612 Relating to the refusal to enter an amendment (37 CFR 1.181 & 1.127, MPEP 714.10)
- 613 To withdraw a holding of abandonment (37 CFR 1.137, MPEP 711.03)
- 614 Relating to a requirement to cancel new matter from application (37 CFR 1.181, MPEP 608.04(c))
- 615 Relating to formal sufficiency/propriety of affidavits (37 CFR 1.131, 1.132, 1.608, MPEP 715.07)
- 616 To institute an interference (37 CFR 1.806)
- 617 Relating to refusal to enter an amendment under 37 CFR 1.312

- 618 For concurrent Ex parte and Inter parte proceedings (37 CFR 1.212)
- 619 For return of original oath of patent application (MPEP 604.04(a))
- 620 For extension of time (37 CFR 1.136(b))
- 621 For interview after Notice of Allowance mailed (MPEP 713.10)
- 622 Concerning appeal application before transfer of jurisdiction to Board (MPEP 1206)
- 623 For second or subsequent suspension of action (37 CFR 1.103, MPEP 700)
- 625 To reinstate Appeals dismissed in group (37 CFR 515(c))
- 626 From denial of reexamination request (37 CFR 515(c))
- 627 To enter an amendment after payment of issue fee (37 CFR 1.312(b))
- 628 From refusal to issue a Certificate of Correction (37 CFR 1.181, MPEP 1480-1485)
- 629 For withdrawal of attorney from application pending in group (37 CFR 1.36)
- 630 For extension of time in a reexamination (37 CFR 1.552(c))
- 631 To merge multiple reexamination proceedings (37 CFR 1.565(c), MPEP 2263)
- 632 To effect a second conversion of inventorship (37 CFR 1.48, MPEP 201.03)
- 633 Concurrency
- 634 To correct inventorship in a patent not in interference (37 CFR 1.324, MPEP 1481)
- 635 To change inventorship in an application (37 CFR 1.48)
- 636 To change inventorship in a patent (37 CFR 1.48)
- 637 To withdraw from issue before payment of an issue fee (37 CFR 1.313(a))
- 609 For matters before Group Director - not specified

### ☐ PETITIONS DECIDED BY BOARD OF PATENT APPEALS AND INTERFERENCES

- 701 To exercise supervisory authority to action by examiner/examiner-in-chief (37 CFR 1.644)
- 702 To accept belatedly filed copies of interference settlement agreements (35 USC 135(c), 37 CFR 1.666(c))
- 703 For withdrawal of attorney in proceeding under 37 CFR 1.201 - 1.288 (37 CFR 1.38)
- 704 For access to a settlement agreement under 35 USC 135(c) (37 CFR 1.666(b))
- 705 For access to an application in proceedings before the Board (37 CFR 1.144)
- 706 From a refusal to issue a Certificate of Correction (37 CFR 1.322, 1.323)
- 707 To correct errors in inventorship (37 CFR 1.324)
- 708 For extension of time to amend under 37 CFR 1.196(b) (37 CFR 1.136)
- 709 To make an application before the Board special (37 CFR 1.102)
- 710 For extension of time to file supplemental Reply Brief (37 CFR 1.136)

- 711 To assign particular members to hearing or to request augmented panel (35 USC 7)
- 712 To decide miscellaneous questions in proceedings under 37 CFR 1.801-1.888
- 713 To accept priority papers in applications in interference (37 CFR 1.644)
- 714 To reinstate an Appeal
- 715 From denial by Chairman of Board - not specified
- 801 To make an application before the Board special (37 CFR 1.102)
- 802 To reinstate an Appeal
- 803 To extend miscellaneous proceedings (37 CFR 1.196, 1.197, 1.304)
- 804 For extension of time to file the supplemental Reply Brief (37 CFR 1.136)
- 805 To accept late request for an Oral Hearing (37 CFR 1.136)
- 806 For matters before the Clerk of the Board - not specified
- 809

### ☐ PETITIONS DECIDED BY SPECIAL LAWS (SECURITY AND GOVERNMENT INTEREST MATTERS)

- 901 Under 42 USC 2182
- 902 Under 42 USC 2457
- 903 Under 35 USC 184

- 904 Under 35 USC 267
- 905 To consider/review security or Government interest matters - not specified

### ☐ PETITIONS DECIDED BY THE SOLICITOR

- 951 Petitions for extension of time in court matters 35 USC 142, 145, 146
- 952 Petitions relating to ex parte questions in cases before the Court of Appeals for the Federal Circuit

- 953 Requests filed under the Freedom of Information Act
- 959 Not specified

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